

Schoolcraft v. The City of New York, et al.  
10 CV 6005 (RWS)

**EXPERT REPORT OF ELI B. SILVERMAN, PH.D. & JOHN A. ETERNO, PH.D.**

We, Eli B. Silverman, Ph. D. and John A. Eterno, Ph.D., have been retained by the law office of Nathaniel B Smith to provide expert opinions in the case of Adrian Schoolcraft, Plaintiff v. City of New York et al., Defendants. We have reviewed materials sent to us, a listing of which is attached as Appendix B to this application.

We will be providing expert testimony on the management approach of the NYPD, the blue wall of silence, basic police procedure, and how these bear upon the plaintiff's claims in this case.

### **Compstat as a Performance Management System**

Compstat (short for compare statistics) is the NYPD's central performance management accountability device, introduced in 1994, whereby commanders are held responsible for crime in their areas. Compstat features up-to-date computerized crime data, crime analysis and advanced crime mapping as the basis for regularized interactive crime strategy meetings. As originally designed, Compstat strategy meetings were also viewed as a mechanism to devolve resources and authority to local commanders so they could craft crime strategies to particular local conditions.

Since information is key to a police department's ability to manage crime, the department made a concerted effort to overcome the lag of three to six months in its reporting of crime statistics. This new updated data first appeared in a document known as the Compstat (comparative statistics) book. This book, compiled on a city wide patrol borough and precinct basis originally included current weekly, monthly and year to date statistics for criminal complaints and arrests for major felony categories and violations. As the years progressed, the

range of information expanded widely to include summonses, stop and frisk encounters, quality of life violations and numerous other activities. Decision makers were provided with more reliable and timely data at their disposal through the streamlining and sharing of information retrieval and crime mapping.

Although crime mapping was not new for the NYPD, the Compstat book and crime strategy meetings supplanted previous pin mapping by integrating the use of sophisticated computer technologies and software mapping capability with statistical analyses and deployment data. The original 1994 twice weekly Compstat crime strategy meetings represented the first time multiple sources of crime information were gathered for display before all key organizational members at meetings devoted solely to fighting crime. Commanders are ranked and evaluated based on their comparative crime statistics, anticrime plans, related law enforcement activities, and the ability to articulate these at meetings. Commanders who do not measure up are often reassigned to other positions.

### **Compstat Consequences**

The bulk of New York City's crime reduction has taken place since 1994 when Compstat and other police reforms were introduced. The NYPD repeatedly publicizes an astounding 80 percent drop in index crime since 1990. New York City's reported dramatic crime decline has drawn widespread attention to the NYPD from professionals, criminologists, law enforcement, politicians, the media, and the general public. The Compstat crime reduction system has been frequently emulated in other cities where former NYPD officials took over as Chief. These include, among others, the cities of Minneapolis, Newark, Chicago, New Orleans, Raleigh,

Miami, Baltimore and Philadelphia (Anderson, 2001: 4; Clines, 2001: 15; Weissenstein, 2003: 27).

Some scholars attribute New York and some other cities crime declines almost exclusively to the practices of the police and in particular to Compstat (Bratton, 1998; Kelling & Coles, 1998; Kelling & Sousa, 2001; Maple, 1999; Zimring, 2011). Other research demonstrates less confidence in the police's role in the crime decline. (Bowling, 1999; Conklin, 2003; Greenberg, 2013; Harcourt, 2001; Karmen, 2000; Messner et al., 2007; Rosenfeld & Forango, 2014; Rosenfeld, Forango, & Rengifo, 2007). Regardless of which explanation one accepts, the mayor, police commissioner and other government officials' rhetoric has consistently repeated the decrease in index crime. It became the focal point, the narrative, of both the Giuliani and Bloomberg administrations.

Maintaining the narrative that crime will go down regardless of headcount (loss of thousands of officers), budgetary restrictions, respecting Constitutional rights (see *Floyd v. City of New York*), and respecting its own officers (including apparent reprisals against the plaintiff and other whistleblowers) has become management's priority. There is considerable evidence that the NYPD leadership, particularly from 2002 to 2012, has altered and misused Compstat. Management has, especially through Compstat, placed enormous pressures on all ranks to write summonses, conduct stop and frisks, make arrests and the like to be reflected in the Compstat figures. The evidence of overwhelming pressures which lead to illegal quotas on summonses, arrests, and forcible stops as well as downgrading crime reports is reflected in union statements, media accounts, non NYPD data sources, accounts of whistleblowers, court cases (*Floyd v. City of New York*) and our research.

## **Union Statements**

There have been many statements by the unions regarding downgrading crime reports and illegal quotas. One pertinent press release appeared on May 23, 2004. The Patrolmen's Benevolent Association and the Sergeant's Benevolent Association (the NYPD's unions for officers and sergeants respectively) issued a joint press release reporting widespread downgrading of reports. It boldly states,

Our own members tell us that they have been conditioned to write crime complaints to misdemeanors rather than felonies because of the abuse they receive from superior officers worried about their careers. The case of the 10<sup>th</sup> precinct where a 7% decrease became a 50% increase is a shocking example of what is occurring throughout the city in many station houses. It is a truth that is widely known by members of the department and now we have to see if the police commissioner has the courage to face the truth and do what is right for the city. (PBA/SBA Press Release, 2004).

A PBA article by then treasurer Robert Zink (2004, n.p.) elucidates:

...The department's middle managers will do anything to avoid being dragged onto the carpet at the weekly Compstat meetings. They are, by nature, ambitious people who lust for promotions, and rising crime rates won't help anybody's career...So how do you fake a crime decrease? It's pretty simple. Don't file reports, misclassify crimes from felonies to misdemeanors, under-value the property lost to crime so it's not a felony, and report a series of crimes as a single event. A particularly insidious way to fudge the numbers is to make it difficult or impossible for people to report crimes — in other words, make the victims feel like criminals...

On May 15, 2003 the PBA issued a press release in which PBA President Patrick Lynch stated, "Today, as we launch our 'Don't Blame the Cop' campaign, we are sharing hard evidence

that our police officers are being pressured to write high-priced summonses at the risk of reassignment or other punitive action.” The PBA has consistently referred to these pressures.

### **Media Accounts**

These union observations were also echoed in periodicals and other media accounts. Although reports of misclassification surfaced even earlier, 2004 marked a year in which significant reporting first emerged. Ten years after Compstat was introduced in 1994, *Newsday* offered a series of articles depicting alterations in crime reports. The first article, published on March 21, 2004, examined a three year, twenty-six percent crime decline in the 50<sup>th</sup> precinct.

Some cops who worked in the 50<sup>th</sup> precinct, though, say numbers don’t tell the whole story. They say the dip, and subsequent 11 percent rise in crime in the first 10 weeks after the precinct commander’s departure raises questions about the way crimes were reported under his command. Many in the department, officers as well as supervisors, point to an atmosphere of apprehension in the NYPD since the advent of Compstat, the computerized system used to track crime trends. *Although even the most ardent critics agree Compstat has helped reduce serious crime to levels not seen in four decades, some say that there is such pressure on precinct commanders to keep crime down that some look for ways to reclassify major crimes so rates appears lower.* (Parascandola & Levitt, 2004, italics added)

The article recounts specific instances of questionable crime reporting. Several of the cases refer to police refusing to take reports, constantly questioning complainants and downgrading crimes. The former precinct commander was described by his subordinates as “an aggressive commander whose scrutiny sometimes took the form of personally reviewing crime complaints two and three times to determine whether they were felonies, or could be downgraded” (Parascandola & Levitt, 2004). Our research has uncovered current occurrences of similar practices.



A 2004 *New York Times* article reporting on the 2003 FBI crime statistics for New York City, noted the Mayor's and the police union's disagreement on the authenticity of the statistics.

The PBA has charged that precinct commanders feel such intense pressure to drive down crime that they 'cook the books,' reducing the severity of crimes on paper to avoid recording them among the seven index crimes reported to the FBI. (Rashbaum, 2004)

Media reports regarding pressures imposed on officers also surfaced on local television. ABC local news investigative reporter Jim Hoffer (2010, May 25) has offered several related pieces. One piece portrays Commissioner Kelly's response,

Emails we received from current NYPD officers suggest quota pressures play a role. One writes: "THEY CONSTANTLY WANT YOU TO VIOLATE PEOPLES' RIGHTS AND MAKE FALSE STATEMENTS TO GET THE ARREST." Another officer writes: "COMMANDS PUT OUT A LIST EVERY MONTH OF THOSE WHO DON'T HAVE AN AREST, LABELING YOU A ZERO." Commissioner Kelly is unapologetic. I'm proud of the record of the men and women of the Department, because I know that we are saving lives," he said. Crime in New York remains at record lows, but recent Justice Department numbers show other cities are also experiencing record low levels of crime, including cities that don't use quota driven police tactics.

## **Whistleblowers**

Whistleblowers have provided audiotapes indicating that crime reports are manipulated. Officers Adrian Schoolcraft (plaintiff), Adyl Polanco, Sergeant Robert Borrelli and others produced ample evidence of manipulation. Indeed, Officer Schoolcraft's allegations have since been confirmed by the departments own 'secret' internal investigation exposed by a reporter (Rayman, 2012; Appendix B QAD Report). One example of the level of manipulation from Schoolcraft's tapes is supervisors at roll calls instructing entire shifts of officers not to take robbery reports if victims are not willing to return to the station house – clearly violating

department training and procedures. We note that all three of these whistleblowers were, in some way, disciplined by the organization. Officers Schoolcraft and Polanco were suspended. Sergeant Borrelli was transferred to the Bronx from a quiet precinct in the Rockaways where he worked for many years directly after he made his allegations. We note that these whistleblowers have had to contend with what is known as the "Blue Wall of Silence."

### **Blue Wall of Silence**

The Blue Wall of Silence is a phrase that is used to describe a police culture that prizes intense loyalty, unity and solidarity among police officers to the extent that any officer reporting the wrongdoing of another officer would be in violation of the code and subject to retaliation. This code of silence has been observed in studies and reports of many police departments throughout the world.

In New York City, this issue has also repeatedly emerged. The 1972 Knapp Commission Report exposed an organized system of payoffs from narcotics dealers and businessmen. The Commission pointed to a "blue wall of silence" which failed to disclose this "widespread corruption." Twenty years later, the 1994 Mollen Commission report pointed to the same blue wall of silence: "The Code of Silence and other attitudes of police officers that existed at the time of the Knapp Commission continue to nurture police corruption and impede efforts at corruption control." (Mollen, 1994, p. 51) Although the Mollen and Knapp Commissions uncovered different varieties of corruption, both gauged it similarly. They underscored the police culture of silence, scandal-avoidance, mutual protection and a distant, often hostile, "us versus them" mindset of the NYPD.

The Blue Wall is bolstered by the solidarity and closed ranks of police officers and their dependence on one another for mutual safety and the perception of a distant, nonresponsive, non-appreciative headquarters and public. As the Mollen Commission noted, "The pervasiveness of the code of silence is itself alarming." (p. 53) Consequently, those who violate the code are either



shunned, ostracized, retaliated against, punished or in some cases harmed. These are some of the reasons why whistle-blowing is so difficult regardless of the issue --whether it be officer errors, misconduct, acquisitive crimes, illegal brutality or filling out false records. In fact, the Mollen Commission uncovered officers falsifying documents such as arrest reports, warrants and evidence for an illegal arrest or search reports. To blow the whistle on unwarranted activities is not easy. The blue wall of silence is a powerful deterrent.

### **Blue Wall and Forcible Hospitalization of Police Officer Schoolcraft**

The “blue wall of silence” likely contributed to actions taken against Officer Schoolcraft. Photographs of his locker indicate he was labeled as a “rat”. This conduct, if true, is consistent with uniformed member retaliation. The Unusual Report written by the NYPD duty captain on the day that Officer Schoolcraft was forcibly hospitalized raises many questions. The report, for example, is missing at least two key elements: how Officer Schoolcraft was specifically determined to be emotionally disturbed and what happened to the tape recorder that was found on him.

An emotionally disturbed person is defined as, “A person who appears to be mentally ill or temporarily deranged and is conducting himself in a manner which a police officer reasonably believes is likely to result in serious injury to himself or others.” (see NYPD Patrol Guide 216-05). Based on the audiotape, Officer Schoolcraft is clearly lucid and answering questions. His weapons have already been taken from him. There is no indication that he is going to harm himself or others. The Patrol Guide requires the NYPD to explain how they “reasonably believe” Officer Schoolcraft is “mentally ill or temporarily deranged” such that his conduct “is likely to result in serious injury to himself or others.” In fact, we note that in the Unusual Report Officer Schoolcraft’s department assigned psychologist stated very explicitly that “...*Mr.*

***Schoolcraft was not a danger to himself or others...***” This is a very specific statement directly on point that appears to have been ignored by the officers on the scene. We note that the report indicates that, “His [Officer Schoolcraft’s] actions were deemed that of a potentially emotionally disturbed person by Lieutenant Hanlon of FDNY and she determined that he would not be allowed to refuse medical attention due to his irrational behavior.” Two issues with this are: 1. The EMT only states he is “potentially” emotionally disturbed which is ***not*** emotionally disturbed and, 2. According to police procedure a police officer, not an EMT, must ***reasonably believe that the person being taken into forcible custody is mentally ill or temporarily deranged and this behavior is likely to cause serious injury to himself or others.*** There was no indication of this in the Unusual Report. The audiotape clearly indicates that Chief Marino orders Officer Schoolcraft into custody but no reasonable basis for his decision is articulated. We also point out that the writer of the Unusual Report determines it important to note that copies of complaint reports are in Schoolcraft’s apartment but fails to point out the running tape recorder found on Officer Schoolcraft. Additionally, the duty captain refers the complaint reports to Internal Affairs for follow-up (which is referred to Quality Assurance which, in turn, confirms Officer Schoolcraft’s allegations about the corrupt activity in the precinct). Again, there is no mention of a tape recorder which was found on Officer Schoolcraft that recorded the incident. Proper police procedure requires mention of this tape recorder in the apartment. The fact that this is not mentioned would appear to be a glaring omission. Interestingly, another active recorder captured the audio of this incident and this second recording device was recovered by IAB a week later. The fact that IAB found this recorder critical and the other officers found the first recorder meaningless is totally contradictory.

Lastly, we also question the initial entry into the apartment. What was the exigent circumstance? If it was his health, once Officer Schoolcraft was seen in the apartment in good condition, the emergency no longer existed and the officers should have immediately vacated. If any actions appeared “emotionally disturbed” they occurred after they entered the apartment. In fact, if they occurred, they apparently were the direct result of the actions of NYPD. Having a team of armed officers and EMT’s in your home, all refusing to leave, remaining in the apartment without permission would likely upset any normal person. In fact, Officer Schoolcraft’s basic 4<sup>th</sup> Amendment rights appeared to have been violated in terms of protecting his property (the tape recorder), armed officers and EMT’s not leaving his apartment, and forcibly removing him from his apartment without justification. We also note that the Unusual Report does not indicate that the Legal Bureau was either consulted or notified at any point. The Bureau has staff attorneys available 24 hours a day, 7 days a week. In this very unusual situation in which the police forcibly entered a uniformed member of the service’s home and forcibly took him into custody as an EDP, it would have been exceedingly prudent to contact the Legal Bureau for advice as well as notify them directly.

### **Hospital Data**

Hospital data, available through 2006, raises serious questions regarding crime report manipulation particularly with respect to assaults, thusly providing additional reasons for studying the phenomenon of crime reporting manipulation. New York City's Department of Health and Mental Hygiene statistics indicate that in 1999 there were 25,181 visits to emergency rooms throughout the City for assault. In 2006 there were 47,779 visits. This represents a 90 percent increase in visits for assault while the NYPD reported a substantial decline. Even more a

concern is visits to emergency rooms for firearms assaults which skyrocketed as well. In 1999 there were 224 visits and in 2006 they count 514 visits – a 129 percent increase. (New York City Health and Hospitals Corporation. 2011).

### **Lack of transparency**

The NYPD's lack of transparency (i.e. openness to non-partisan research and requests from outside the agency) makes value-neutral scientific study difficult yet at the same time more urgent. NYPD has rebuffed scrutiny of its written crime reports even from official government bodies. For example, Mark Pomerantz, a former federal prosecutor who chaired New York City's Commission to Combat Corruption (a Mayoral agency) was denied permission by the police department to view its crime reports (Rashbaum, 2005). His appeal to Mayor Bloomberg was rebuffed resulting in Mr. Pomerantz's resignation.

Under mounting pressure from public disclosures of crime report manipulation, in January 2011 Commissioner Raymond Kelly appointed three former federal prosecutors to review NYPD's crime report auditing practices. The report (released 2 years later than its promised date) does not examine written complaints but merely reviews the auditing system. Even this report raised serious questions. For example, the report indicates "...the persistence of 'egregious' errors in certain precincts despite the pre-finalization review of the complaint reports by supervisors may be construed to support the conclusion that complaint reports are not meaningfully or at least proficiently reviewed at the precinct level—or, in the worst light, that the reviewing supervisors are complicit in the downgrading..." (NYPD, 2013, p. 47)

A 2013 report by then Public Advocate Bill de Blasio described the NYPD as one of the City agencies least responsive to FOIL requests. The Public Advocate designated the Department

as one of only two agencies to receive a failing grade since “28% of the NYPD answered requests took more than 60 days to process [and] 31% of requests received no response.” (NYC Public Advocate, 2013, 13)

#### **Additional Information from Audiotapes from Officer Schoolcraft (plaintiff)**

The roll call of October 12, 2009 is particularly revealing. At this roll call the supervisor is heard stating, “You know we been popping up with those robberies, whatever. The best thing I can say...if the complainant does not want to go back to the squad [detectives], then there is no 61 taken. That’s it...” (Schoolcraft, 2009) . This clearly violates department guidelines.

The audiotapes reveal how headquarters number’s focus has been interpreted by lower level precinct supervisors and even precinct commanders. Compstat’s extreme pressure is translated into not taking reports, questioning the veracity of victims, downgrading reports, haranguing officers about callbacks by supervisors, attempting to figure out what a district attorney will do, and, in general, keeping the numbers of index crimes down in any way possible – regardless of consequences.

As if this were not bizarre enough, the Quality Assurance Division's (QAD) report on Schoolcraft’s allegations of crime downgrading in the 81<sup>st</sup> precinct remained hidden from the public until reporter Graham Rayman discovered it in 2012. It was dated June 2010 – the exact time the police department was denying contradictory revelations. This QUAD report confirms nearly all of Officer Schoolcraft’s allegations and our findings.

#### **Our Research**



In 2008 and 2012 we conducted studies of NYPD using accepted social science methods as evidenced by 2 peer reviewed journal articles and an academic book (Eterno & Silverman 2012; 2010a; 2010b). Our first study was conducted in 2008. We sent a survey to all retired members of the Captain's Endowment Association which includes the ranks of Captain and above. A very important feature of the survey is that it was anonymous. Social science research suggests that anonymity leads to more truthful responses to sensitive questions (Babbie, 1989; Bradburn, 1983; Dillman, Smyth, & Christianson, 2009; Neuman, 2000). We received a total of 491 completed questionnaires. We examined the data comparing those who worked after 1994 (the first year of Compstat) and those who worked before.

A second study was conducted in 2012. This study replicated and confirmed the results of our 2008 study using a different sample. We used anonymity in this study as well. The sample is retired officers who are on the "active retiree database" maintained by NYPD. We had 1,962 responses of all ranks.

Tabular analyses of both surveys indicate that there was widespread pressure on officers. The two surveys results are also very similar giving us confidence that what we are reporting is an accurate representation of what occurred in the NYPD. We present 4 crosstabs from our 2012 survey and 3 crosstabs from our 2008 survey. The first 3 from 2012 show markedly increased pressure in the most recent category (2002 to 2012) to write summonses, make arrests, and conduct forcible stops. These results are strong and statistically significant. Additionally, the last crosstab for the 2012 survey indicates that as pressures increased regarding summonses, arrests and stops, concurrently, pressure to obey Constitutional rights *decreased* – a questionable combination, at best. Our 2008 survey with Captains and above shows similar results regarding pressures to generate summonses, make arrests and conduct forcible stops. That study also



shows stronger pressures in the Compstat period. Again the results are statistically significant and strong.

We also note that both surveys indicate the manipulation of crime reports in recent times. The 2012 survey shows approximately double the level of manipulation in 2002 to 2012 compared to the previous two eras. This result is statistically significant and strong. Our 2008 survey with a completely different sample shows report manipulation in the Compstat era. As we write in our book, "Of the 160 respondents who were aware of any changes, over half (53.8 percent) indicated that the changes observed were highly unethical. An additional 23.8 percent indicated the changes were moderately unethical." (Eterno and Silverman, 2012, p.34)

**2012 SURVEY FINDINGS – SUMMONS PRESSURE (1)***Crosstab - Year categorized \* Summons pressure categorized*

			year categorized			
			before 1995	1995 until 2001	2002 until 2012	Total
summons pressure categorized	low	Count	132	58	93	283
		% within year categorized	24.7%	16.2%	11.0%	16.3%
	medium	Count	203	124	233	560
		% within year categorized	38.0%	34.6%	27.5%	32.2%
	high	Count	199	176	522	897
		% within year categorized	37.3%	49.2%	61.6%	51.6%
Total		Count	534	358	848	1740
		% within year categorized	100.0%	100.0%	100.0%	100.0%

*Gamma = .32 p< .000**Kendall's tau b =.203 p< .000*

**2012 SURVEY FINDINGS ARREST PRESSURE (2)*****Crosstab – Year categorized by arrest pressure categorized***

			year categorized			
			before 1995	1995 until 2001	2002 until 2012	Total
arrest pressure categorized	low	Count	191	77	111	379
		% within year categorized	36.2%	21.2%	13.2%	21.9%
	medium	Count	240	158	316	714
		% within year categorized	45.5%	43.5%	37.5%	41.2%
	high	Count	97	128	415	640
		% within year categorized	18.4%	35.3%	49.3%	36.9%
Total		Count	528	363	842	1733
		% within year categorized	100.0%	100.0%	100.0%	100.0%

***Gamma= .422 p<.000******Kendall's tau b =.277 p< .000***

**2012 SURVEY FINDINGS STOP PRESSURE (3)***Crosstab - year categorized \* stop pressure categorized*

			year categorized			Total
			before 1995	1995 until 2001	2002 until 2012	
stop pressure categorized	low	Count	297	127	205	629
		% within year categorized	57.8%	36.7%	24.4%	37.0%
	medium	Count	170	153	341	664
		% within year categorized	33.1%	44.2%	40.5%	39.0%
	high	Count	47	66	295	408
		% within year categorized	9.1%	19.1%	35.1%	24.0%
	Total	Count	514	346	841	1701
		% within year categorized	100.0%	100.0%	100.0%	100.0%

*Gamma= .461 p<.000**Kendall's tau b =.302 p<.000*

**2012 SURVEY FINDINGS RIGHTS PRESSURE (4)*****Crosstab y- Year categorized \* Pressure to Obey Constitutional rights categorized***

			year categorized			
			before 1995	1995 until 2001	2002 until 2012	Total
obey constitutional rights pressure categorized	low	Count	109	63	187	359
		% within year categorized	20.7%	17.2%	22.1%	20.6%
	medium	Count	183	132	357	672
		% within year categorized	34.7%	36.0%	42.2%	38.6%
	high	Count	235	172	302	709
		% within year categorized	44.6%	46.9%	35.7%	40.7%
Total		Count	527	367	846	1740
		% within year categorized	100.0%	100.0%	100.0%	100.0%

***Gamma= -.106 p<.002******Kendall's tau b = -.067 p< .000***

## 2008 SURVEY FINDINGS SUMMONS PRESSURE (1)

*Crosstab – Year \* Pressure to increase summonses*

			Did you serve on NYPD after 1994		
			No	Yes	Total
increase summonses categorized	low	Count	39	29	68
		% within Did you serve on NYPD after 1994	27.7%	9.3%	15.0%
	medium	Count	66	143	209
		% within Did you serve on NYPD after 1994	46.8%	45.7%	46.0%
	high	Count	36	141	177
		% within Did you serve on NYPD after 1994	25.5%	45.0%	39.0%
Total		Count	141	313	454
		% within Did you serve on NYPD after 1994	100.0%	100.0%	100.0%

*Gamma=.431 p<.000**Kendall's tau c = .238 p< .000*



**2008 SURVEY FINDINGS ARREST PRESSURE (2)***Crosstab – Year \* Pressure to increase arrests categorized*

			Did you serve on NYPD after 1994		
			No	Yes	Total
increase arrests categorized	low	Count	43	26	69
		% within Did you serve on NYPD after 1994	30.9%	8.3%	15.2%
	medium	Count	73	155	228
		% within Did you serve on NYPD after 1994	52.5%	49.2%	50.2%
	high	Count	23	134	157
		% within Did you serve on NYPD after 1994	16.5%	42.5%	34.6%
Total		Count	139	315	454
		% within Did you serve on NYPD after 1994	100.0%	100.0%	100.0%

*Gamma=.571 p<.000**Kendall's tau c = .313 p<.000*

**2008 SURVEY FINDINGS STOP PRESSURE (3)*****Crosstab – Year \* Pressure to increase stop and frisk***

			<b>Did you serve on NYPD after 1994</b>		
			<b>No</b>	<b>Yes</b>	<b>Total</b>
<b>increase stops and frisk categorized</b>	<b>low</b>	<b>Count</b>	<b>75</b>	<b>71</b>	<b>146</b>
		<b>% within Did you serve on NYPD after 1994</b>	<b>54.7%</b>	<b>22.5%</b>	<b>32.3%</b>
	<b>medium</b>	<b>Count</b>	<b>55</b>	<b>155</b>	<b>210</b>
		<b>% within Did you serve on NYPD after 1994</b>	<b>40.1%</b>	<b>49.2%</b>	<b>46.5%</b>
	<b>high</b>	<b>Count</b>	<b>7</b>	<b>89</b>	<b>96</b>
		<b>% within Did you serve on NYPD after 1994</b>	<b>5.1%</b>	<b>28.3%</b>	<b>21.2%</b>
	<b>Total</b>		<b>137</b>	<b>315</b>	<b>452</b>
			<b>100.0%</b>	<b>100.0%</b>	<b>100.0%</b>

***Gamma=.617 p<.000******Kendall's tau b =.347 p< .000***

**2012 Survey - Knowledge of Crime Manipulation & Retirement Category**

		<b>Period 1 1981-1993</b>	<b>Period 2 1994-2001</b>	<b>Period 3 2002-2012</b>	<b>N</b>
No		327 (69.7%)	264 (65.5%)	383 (44.5%)	974
Yes	1-2 times	15	19	44	78
	3-5 times	55	66	188	309
	5+ times	72 (30.3%)	54 (34.5%)	245 (55.5%)	371
n		469	403	860	1732
Missing		15	12	11	38
N		484	415	871	1770

**Statistics:**

Gamma [ordinal by ordinal] 0.337\*\*\*

\*\*\* p&lt; 0.001

### **Impact on Police Officer Schoolcraft**

Compstat began as a vital performance management system designed to address crime and quality of life issues through up to date crime statistics, coupled with computer technology crime mapping in an organizational environment designed to integrate and coordinate all relevant NYPD units. Yet over time Compstat morphed into an instrument utilized by the NYPD leadership to centralize decision making in order to record numbers that reflect lower index crime and higher officer activity regarding arrests, summonses and stop and frisks. The centralization of decision making and reduction of lower level flexibility, autonomy and discretion parallels a national study of U.S. police departments (not including New York City) which have adapted the Compstat system (Weisburd et al., 2001).

Since 2002, political and police pressure mounted to sustain the crime reduction phenomenon of previous years. Up until 2002, the first year of Mr. Bloomberg's administration, crime was already down 60 percent. Leveling off was not considered an official option. Demands to produce numbers have triggered the expansion of NYPD activities that "work" but without maintaining an eye on the structural health of the organization. The remedies are akin to doubling a medication of 5 milligrams to 10 milligrams since the current prescription seemed to work well. More of the same strategic medicine is introduced regardless of warnings about possible side effects. Massive deployment to address quality-of-life crimes becomes favored over more surgical strikes. Inadequate evaluation and tactical intensification has also been accompanied by increased centralization. Special units, such as narcotics enforcement and warrant enforcement became increasingly directed from above. In effect a centralization thrust has been superimposed on decentralized reforms. But centralization now has a powerful weapon in its arsenal--Compstat.

Compstat, in many senses, had been turned on its head. Instead of a tool to reevaluate objectives and tactics and scan the environment for future trends, the information from computer-generated comparative statistics became known for only its most visible aspects--crime mapping and deployment activity. Greater information was used to bear down on the management of many street operations. Numbers, sometimes any numbers, rule the day. This ratcheted system, in the words of one participant is "wound up too tight." A 20-year veteran Brooklyn detective put it this way, "Compstat is everything. People are tired of being harassed, searched and frisked, and run off the streets. People are fed up; the cops are, too." (Marzulli & O'Shaughnessy, 2000).

In a highly charged political atmosphere, the NYPD's ability to accomplish short-term success has been amplified by Compstat. And what happens when painstaking and constant lessons of implementation are neglected for the quick fix? The short-haul dominates. The NYPD, preoccupied by the crisis du jour, has little time or inclination to reflect on its mission and alternative strategies.

As it relates to this case, Officer Schoolcraft is a victim of the NYPD's Compstat numbers game and the 'blue wall of silence.' Quotas, illegal stops, downgrading crime numbers were endemic during his street time as a member of the NYPD. The Quality Assurance Division memorandum confirms his allegations. The *Floyd* case adds further evidence. Our studies provide additional confirmation. Beyond all this, photographs of his locker indicate that he was labeled a "rat". The informal system based on the blue wall of silence led to the NYPD's abuse of authority whereby Schoolcraft was forcibly detained for six days in a mental hospital without an aided card or proper notification being filed – in flagrant violation of department policy (see

PG 216-01 & 216-03). The NYPD tried to hide evidence of what happened in his apartment – failing to mention (in the Unusual Report) the first tape recorder found on Officer Schoolcraft.

As we have seen, other whistleblowers were punished as well (e.g., Sergeant Borelli's transfer and Police Officer Adyl Polanco's suspension). There is a clear pattern of abuse and retaliation by the NYPD. Officer Schoolcraft clearly tried in earnest to do the right thing – to notify superiors who belatedly confirmed his allegations. In return, they forcibly transported him to the hospital. Officer Schoolcraft is not an EDP but an honest, hard-working police officer trying to expose misconduct.

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[data.html?scp=1&sq=crime+declines%2C+but+union+and+mayor+spar+over+data&st=](http://www.nytimes.com/2004/05/25/nyregion/crime-declines-but-union-and-mayor-spar-over-data.html?scp=1&sq=crime+declines%2C+but+union+and+mayor+spar+over+data&st=nyt)

[nyt](http://www.nytimes.com/2004/05/25/nyregion/crime-declines-but-union-and-mayor-spar-over-data.html?scp=1&sq=crime+declines%2C+but+union+and+mayor+spar+over+data&st=nyt)

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[8B63http://query.nytimes.com/gst/fullpage.html?res=9D0CE7DF1431F931A15757C0A9](http://query.nytimes.com/gst/fullpage.html?res=9D0CE7DF1431F931A15757C0A9639C8B63)

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Signature Eli B. Silverman Date: August 11, 2014  
Eli B. Silverman, Ph.D.

Signature John A. Eterno Date: August 11, 2014  
John A. Eterno, Ph.D.

Appendix A – CV's

Appendix B – Materials supplied by plaintiff



Eli B. Silverman  
102 Bon Aire Circle  
Suffern, N. Y. 10901

Phone: 845 357 0685  
Email: Estcompany@optonline.net

**EDUCATION**

A.B., Allegheny College  
M.A., Pennsylvania State University  
Ph.D., Pennsylvania State University

**RECENT CRIMINAL JUSTICE PRESENTATIONS**

"The Crime Numbers Game: Management by Manipulation,"  
Presentation to the 2nd International Conference on Governance  
Crime and Justice Statistics, Mexico City, Mexico, June 18-21  
2014.

"Stop and Frisk and Racial Profiling," Presentation to the SUNY  
Buffalo Law School, Buffalo New York, February 20, 2014

"The Crime Numbers Game: Management by Manipulation,"  
Presentation to the Syracuse University Law School, Syracuse, New  
York, February 19, 2014

"Institutional Models for Internal Control in Police  
Departments," Presentation to the First International Congress on  
Police Internal Affairs, Los Cabos, Mexico, 23-25 October, 2013.

"Compstat and Police Performance Management," Presentation to the  
Copenhagen Business School, Copenhagen, Denmark, 4 October 2013.

"Inside//Outside Research: Access to the NYPD," Presentation to  
the Conference on Applied Police Research, Norwegian Police  
University College, Stavern, Norway, 28 September to 1 October,  
2013

"The Crime Numbers Game: Deterrent to Effective Policing,"  
Keynote Speech, Applied Research in Crime and Justice Conference  
Sydney, Australia, February 28, 2013

"Police Stop and Frisk: Impacts and Remedies," Presentation to  
the Duke University Law School, Durham, North Carolina, October  
23, 2012

"Racial Profiling: Implementing A Court Order," Presentation to  
the Nova Southeast University Law School, October 2012

"Crime and the Numbers Game: The Future of Police Relations and  
the Community," Presentation to King Graduate School, Monroe  
College, Bronx, New York, October 10, 2012

"Unveiling the Truth: Weaknesses in Police Performance Management Systems," Presentation to the International Conference: Global Perspectives on Justice, June 6-9, 2012, New York City

"NYPD and the Numbers Game," Presentation to International Conference on Using Numbers," Paris, France, May 15, 2012

"Racial Profiling: Implementing a Court Order," Presentation to Tulane University Law School, New Orleans, Louisiana, November 2, 2011

"Racial Profiling: Implementing a Court Order," Presentation to Louisiana State University Law School, Baton Rouge, Louisiana, November 1, 2011

"Compstat: Compare Statistics or Compose Statistics," Presentation to Rowan University, Glassboro, New Jersey, October 14, 2011.

"Compstat: Compare Statistics or Compose Statistics," Presentation to the Business School, Columbia University, New York, September 14, 2011.

"NYPD Managers Speak Out: The Impact of Compstat," with John A. Eterno, Annual Meeting of the Academy of Criminal Justice Sciences, San Diego, CA, February 26, 2010

"A Preliminary Assessment of Compstat in the New York City Police Department," with John A. Eterno, Annual Meeting of the Academy of Criminal Justice Sciences, Boston, MA, March 12, 2009.

"Police Leadership in Crisis: Performance Management and Problem Solving to Reduce Crime," Presentation to the International Association of Women Police 46th Annual Training Conference, Darwin, Australia, September 11, 2008.

Four Presentations to the Garda Siochana, Templemore and Dublin Ireland: "Strategic and Performance Management Changes in the New York City Police Department;" "Innovations in Policing;" "Police Innovations in New York;" "Current Trends in U.S. Policing." April 14-18, 2008.

"The Police, Media and Public Security," Presentation at the International Conference, The Perception of Insecurity and Mass Media, Barcelona Spain, November 14-16, 2007

"Innovations in Policing" Lectures at the University of Oslo, Norway, August 30 and 31, 2007.

"Current Research in Policing," Presentation to the Police College, Oslo, Norway, August 29, 2007

"Performance Management in Policing," Three day presentation and workshops with the Queensland Police Service, Brisbane, Australia July 9-11, 2007.

"Recruiting, Preparing and Retaining Quality Police Executives for Anti-Crime and Anti-terrorism Strategies," Distinguished Paper Award, 2nd Istanbul Conference on Democracy and Global Security, Istanbul, Turkey, June 14-16, 2007.

China Lectures: Chinese People's Public Security University, Beijing, April 14 and 15, 2007; Shanghai Public Security Bureau, April 17, 2007; Shaoxing Police Hotel, April 19, 20 and 22, 2007; Zhejiang College of Public Security, Hangzhou, April 21, 2007.

"The NYPD Model of Policing in Australia," Keynote Speech, Social Justice and Social Change Research Center, University of Western Sydney, Sydney, Australia, November 21-22, 2006

"Innovations in Policing," Presentation to the New South Wales Police Academy, Goulborn, Australia, November 24, 2006

"The International Impact of New York's Compstat Model" Presentation at the European and International Research Group in Crime Ethics, and Social Philosophy, "Cross Cultural Approaches to Crime," Borovets, Bulgaria, May 3-5, 2006

"Crime Victimization and the Police: Training Strategies," Presentation at the "Conference on Interventions for Crime Victims," Rome, Italy January 29-31, 2006.

"The Pitfalls of Police Performance Management," Presentation at the Istanbul "Conference on Democracy and Global Security," Istanbul, Turkey, June 9-11, 2005.

"With a Hunch and a Punch," Presentation at the Conference Meeting on "Rational Hunches and Policing," George Mason University School of Law and Economics Center, Arlington, Virginia, May 13-14, 2005

"Transforming Law Enforcement," Presentation at the University of Toulouse, France, April, 2005.

"Police Reform: Overcoming Obstacles," Plenary Session Presentation to "International Conference on Criminal Justice," Bucharest, Romania, June 6-9, 2004.

"The Future of International Policing and Security," Presentation to "International Conference of Criminal Justice Societies," Paris, France, May 13-15, 2004

"Reforma Institucional de la Policía de Nueva York, Presentación Seminario "Seguridad Publica Y Derechos Humanos: Perspectivas Internacionales, Lecciones para México," la Ciudad de México, Septiembre 26, 2003

"The Future of Crime Analysis," Presentation to European Police Executives' Conference on "Crime Analysis and Strategic Planning," Espoo, Finland, May 5-9, 2003

"Privatizing Public Police: Cloaked Changes," Presentation to International Conference on Policing and Security, "In Search of Security," Montreal, Quebec, Canada, February 19-22, 2003

"Strategic Planning for Police," Presentation to the University of Toulouse, Toulouse, France, January 2003

"Jewish Crime in New York City," Presentation to the European Society of Criminology, Toledo, Spain, September 2002

"Comparative Police Reform" Presentation to the "International Crime Conference," London Metropolitan Police, London, England, June 2002

"The NYPD Battles Crime," Presentation at Conference on the "Crime Crash of the 1990s: Real or Fiction," The College of Justice and Safety, Eastern Kentucky University, February 27, 2002.

"Current Trends in US and International Policing," "Compstat and Community Policing," Presentations to the Escola de Policia de Catalonia, Policia Mossos de Esquadra, Barcelona, Spain. May-June 2001

"Reform in the New York City Police Department," Presentation to the National Foundation of Political Sciences, Paris, France, October 19, 2001.

"Innovations in Crime Mapping," Presentation to the Delaware State Police, Newark, Delaware, November 6, 2000

"Understanding Police Operational Reforms," Presentation to the American Society of Criminology, San Francisco, California, November 2000,

"Reengineering Police Departments," Presentation to International Crime Conference, Sam Houston University, Huntsville, Texas, June 2000



"Policing Reforms," Presentation to the International Police Executive Forum, Munich, Germany, April 2000

"Police Innovations in the 21<sup>st</sup> Century," Presentation to the American Society of Criminology, Toronto, Canada, November 1999

"Compstat and Crime Mapping," Presentation to Simon Fraser University, Vancouver, Canada, September 1999

"Comparative Policing" Presentation to the British Society of Criminology, Liverpool, England, June, 1999

"Zero Tolerance Policing and Community Policing in New York" Presentation at the 4th European Conference on Public Management Reform, Bremen, Germany, November 9-11, 1998.

"Hot-Spot Policing," Presentation to the Academy of Criminal Justice Sciences, Chicago, Illinois, April, 1998

"Below Zero Tolerance: The New York Experience," Keynote Speech, Conference on Zero Tolerance Policing, "Are US Strategies Transferable to the UK?", Scarman Centre for the Study of Public Order, Leicester University, Leicester, England, May 20, 1997.

"A Criminologist's Perspective on Compstat," Presentation at the NYPD Compstat Conference: Meeting the Challenge of Reducing Crime, New York, May 12-14, 1997.

"New Approaches to Community Policing," Presentation to International Conference on Crime and Justice, Dublin, Ireland June, 1996

"International Trends in Policing," Presentation to the Policia Judiciara, Lisbon, Portugal, January 1996.

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"The Trouble with Compstat," with John A. Eterno, 2010, New York Daily News, op. ed. February 15.

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**CRIMINAL JUSTICE CONSULTANCY,**  
**TRAINING AND EXPERT WITNESS**

Witness, *Floyd v. City of New York*, 2013

Expert Witness, *Stimson v. City of New York*, 2014

Special Assistant, Office of Assistant Attorney General for Administration, Department of Justice, Washington, D.C.

Maryland State Police, consultant for revisions in policies, training and operations in patrol and traffic stops

Expert Witness, Nunavet, Canada, crime analysis regarding domestic violence and homicide

Expert Witness, New York State Public Employment Review Board regarding police morale and salaries

Expert Witness, regarding New Jersey county treatment of correctional employee

New York City Police Department--design and participation in Executive Development Program Productivity Training Program, trainer in police leadership program. Leadership Training

New York State Division of Parole and New York State Department of Corrections--Trainer and Facilitator in Executive Development and Management

New York City Health and Hospital Corporation, trainer in management and supervision.

Consultant, New York Bankers Association, preventing bank robberies

Program Evaluation, Proposal for Criminal Justice Masters Program, Molloy College, March 23, 2007

Program Evaluation, Graduate Program in Criminal Justice, Monmouth University, May 26, 2007.

#### **OTHER SELECTED PUBLICATIONS**

"A New Integrated Financial System," in Thomas Lynch (ed.) Contemporary Public Budgeting (Transaction, 1981)

"Budgetary Processes and Financial Administration," Chapter in Jae T. Kim (ed.) Handbook of Public Administration, (Dubuque, Iowa: Kendall-Hunt, 1980.

"PPB on the State Level: The Case of Pennsylvania," The Bureaucrat, Vol. 4, No. 2, July 1975.

"Legislative Budgetary Oversight in New York State," State Government, Spring 1975.

"Productivity in Government: A Note of Caution," The American Review of Public Administration, Volume 7, No. 3, July 1973.

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"The Price of Controlling Corruption," Book Review Essay, "The Pursuit of Absolute Integrity: How Corruption Control Makes Government Ineffective," by James B. Jacobs and Frank Anechiarico." Public Administration Review, March\April 1998. Vol. 58, No.2

Additional selected publications available on request.

### **PROFESSIONAL TRAINING AND RESEARCH**

***Research Associate, National Academy of Public Administration, Washington, D.C.***

Evaluation of federal programs including four Department of Housing and Urban Development Local Assistance Programs in eight cities and NASA Lunar Orbiter and Surveyor space projects.

***Consultant for governmental\non-governmental units in various aspects of administration and financial management. These include:***

City of New York--Consultant and trainer, budget conversion, budget preparation, revenue accounting and overview training for City agencies in new Integrated Financial Management system; conducted budget management workshops for agency fiscal officers; evaluated Mayor's Summer Intern program.

***Consultant, New York State Legislature--Analyzed and prepared reports for Assembly Ways and Means Committee on the impact of federal budget on New York State.***

***Consultant, New York State Governor's Office of Employee Relations, Advanced Human Resources Development Program for State Supervisors. Training Program included:***

Getting Work Done Through Others: The Supervisor's Main Job  
Handling Information: The Power of Words and Numbers  
Working with People: Understanding and Developing your Employees  
Personal Effectiveness: Making the Most of Your Abilities  
Working with Groups: The Power of a Team Effort



Influencing Others: Taking an Active Role

**Additional Training and Management Seminars and Leadership Conferences:**

- Creative Problem Solving
- Communications
- Stress Management
- Time Management
- Investigative Interviewing
- Financial Management and Planning in a Cut-back Environment

Member, New York State Legislative Commission Public-Private Cooperation. Previous Chair, Section on Budgeting and Financial Management. With over 1,650 members, this is the largest of the American Society for Public Administration's 16 sections. Responsibilities include overseeing the professional and financial activities of section.

Active member of National Commission on Urban Affairs, American Jewish Congress. Study major urban issues and offer recommendations.

Editorial and referee publication responsibilities--International Journal of Police Science and Management, Public Productivity Review, Public Administration Review, Occasional Papers in Administration, Cahiers De La Securite

-Professional Meetings and Panels

--Participant, Strategic Arms Limitation Agreement (SALT II), briefing conducted by President Carter and Dr. Brzezinski, White House, Washington, D.C.

Participated in numerous seminars topics including:

- Urban reform in an era of scarcity
- Justice service in the urban community
- Budgetary concepts and practices
- Northeast economic development
- Management in a period of economic crisis
- New York City's economic picture
- Strategy and tactics of budget cutting
- State constraints on local decision making
- Changes in grants-in-aid.

Groups addressed include:

American Society of Criminology  
Academy of Criminal Justice Sciences  
American Society for Public Administration  
American Political Science Association  
National Association of Criminal Justice Planners  
New York City's "Top Forty" Program  
Federal Executive Board of Metropolitan New Jersey  
Association of Government Accountants  
The National Contract Management Association  
New York State Department of Corrections  
New York City Housing Authority  
New York City Department of Corrections  
New York City Police Department  
New York City Health and Hospital Corporation

#### **Television Appearances**

Joint appearances with such officials as: President, District Council 37, American Federation of State, County, and Municipal Employees, AFL-CIO; Counsel and Press Officer, Consulate General of Israel; Bronx Liberal Party Chairman, Kings County Conservative Party Chairman; State Assemblymen.

Cable Network News, WNYC, WCBS, WABC, UPR, WNBC, and FOX News. BBC television, BBC radio 5, WOR TV. CBS News, Channel 4 and 7 news. Fox television, National Public Radio, CBS television, Court TV, Geraldo Rivera, Bill O'Reilly.

#### **ACADEMIC EMPLOYMENT**

Professor Emeritus, John Jay College of Criminal Justice and Graduate Center, City University of New York

Professor of Police Studies and Criminal Justice Administration, John Jay College and Graduate Center, City University of New York, September 1984-January 2003

Visiting Professor, Police Staff College, Bramshill near Basingstoke, England, 1998 and 1984.

Visiting Professor, Toulouse University, Toulouse France, 2005 and 2003

Associate Dean of Faculty, John Jay College, City University of New York, September 1978-February 1984

Chair, Department of Government and Public Administration, John Jay College, City University of New York, July 1976-September 1978.

**PROFESSIONAL ASSOCIATIONS**

American Society of Criminology  
Academy of Criminal Justice Sciences  
American Society for Public Administration  
International Association of Chiefs of Police  
New York Metro Chapter American Society for Public Administration  
American Academy of Professional Law Enforcement  
Section on Budgeting and Financial Management, American Society  
for Public Administration  
Section on Criminal Justice Administration, American Society for  
Public Administration



*J.A. Eterno, CV 1*

**John A. Eterno**

Department of Criminal Justice  
Molloy College  
1000 Hempstead Avenue  
P.O. Box 5002  
Rockville Centre, NY 11571-5002

Office: (516) 323-3806  
Fax: (516) 323-3802  
E-mail: [jeterno@molloy.edu](mailto:jeterno@molloy.edu)

**Education:**

<b>Ph.D.</b>	<b>Criminal Justice</b> University at Albany, State University of New York Dissertation Title: <i>Deciphering Legal Decisions on the Street: A Case Study of the New York City Police Department</i>	1999
<b>M.A.</b>	<b>Criminal Justice</b> University at Albany, State University of New York	1991
<b>M.P.S.</b>	<b>Human Relations, with distinction</b> New York Institute of Technology Thesis Title: <i>Cops as Counselors</i>	1987
<b>B.A.</b>	<b>History</b> Queens College, City University of New York	1981

**Experience in Academia:**

9/2011 – present	<b>Professor</b> , Department of Criminal Justice, Molloy College
9/2007 – present	<b>Associate Dean &amp; Director of Graduate Studies in Criminal Justice</b> , Molloy College
9/2007 – 8/2011	<b>Associate Professor</b> , Department of Criminal Justice, Molloy College
9/2006 – 8/2012	<b>Chairperson</b> , Department of Criminal Justice, Molloy College
9/2003 – 8/2007	<b>Assistant Professor</b> , Department of Criminal Justice, Molloy College
9/1999 – 8/2003	<b>Adjunct Assistant Professor</b> , Department of Criminal Justice,

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Courses taught at Molloy:

- |  |  |
|--|--|
| <ol style="list-style-type: none"><li>1. Advanced Internship*</li><li>2. The Compstat Process</li><li>3. Critical Issues in Criminal Justice</li><li>4. Cross-Cultural Perspectives in Criminal Justice</li><li>5. Deviant Behavior</li><li>6. Domestic and International Terrorism *</li><li>7. Domestic Violence</li><li>8. Foundations of Justice</li><li>9. Independent Studies in Criminal Justice</li><li>10. Introduction to Criminal Justice</li></ol> | <ol style="list-style-type: none"><li>11. Law and Society</li><li>12. Master's Thesis Seminar*</li><li>13. Modern American Justice*</li><li>14. Modern Law Enforcement*</li><li>15. Research Methods in Criminal Justice**</li><li>16. Senior Seminar in Criminal Justice</li><li>17. Survey of International Justice Systems*</li><li>18. Theories of Crime</li><li>19. Tutorials in Criminal Justice/Sociology</li><li>20. Violence and Aggression</li><li>21. Violence in American Society*</li></ol> |
|--|--|

\*Graduate level course

\*\*Both graduate and undergraduate level courses

6/2000 – 5/2003

**Adjunct Assistant Professor**, Queens College, City University of New York, Sociology Department.

Courses taught at Queens:

1. Introduction to Sociology
2. Deviance and Social Pathology
3. Sociology of Law
4. Methods of Social Research
5. Senior Seminar: Issues in Criminal Justice
6. Senior Seminar: Violence and Aggression in American Society
7. Criminology and Criminal Justice (graduate)

**Professional Experience in Criminal Justice:**

1/1983 – 5/2004

Sworn Officer with the New York City Police Department (NYPD)

Specific Duties:

1999 - 2004 **Captain, Commanding Officer, Crime Analysis and Program Planning Section** (2003 to 2004) *and* **Commanding Officer, Mapping Support Unit** (1999 to 2004) - Office of Management, Analysis and Planning. Make policy recommendations and handle sensitive assignments for the Deputy Commissioner of Strategic

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Initiatives and Assistant Commissioner of Programs and Policies. This includes designing, conducting, and reviewing research (including large scale projects requiring supervision, training, and coordination of hundreds of staff) on matters such as crime analysis, stop and frisk (involves racial profiling), and drug testing of prisoners. Responsibilities also involve coordinating, developing, training, and introducing useful advances in mapping and other associated technologies.

1998 - 1999 **Captain, Executive Officer, 100<sup>th</sup> Precinct**  
 1996 - 1998 **Lieutenant, Special Projects**, Office of Management Analysis and Planning, Research Analyst. Projects involving policy and research such as evaluating and rewriting sections of the NYPD Patrol Guide (manual for field officers) as well as reviewing applications for research by university professors and outside agencies.  
 1996 **Lieutenant, 112<sup>th</sup> Precinct**, Platoon Commander and Special Projects  
 1991 - 1996 **Sergeant, Personnel Bureau, Training Coordinator/Researcher** Responsible for: (1) conducting research leading to the implementation of physical fitness standards for police officer candidates and incumbent officers; (2) research leading to increasing the age and education requirements for police officer candidates; and (3) all training for the Personnel Bureau.  
 1990 - 1991 **Sergeant, Research Analyst**, Office of Management Analysis and Planning, Projects included: Housing Management Exchange Program, Domestic Violence Prevention, and Citizen Satisfaction Survey.  
 1988 - 1990 **Sergeant, Patrol Supervisor**, 113<sup>th</sup> Precinct and 109<sup>th</sup> Precinct  
 1987 - 1988 **Police Officer, Police Academy, Official Company Instructor**, Police Science  
 1983 - 1987 **Police Officer, Patrol -10<sup>th</sup> Precinct** and Midtown Precinct North

**Professional Boards, Editorial Boards, and Peer Reviewer Experience:**

2013-2014	<b>Peer Reviewer</b> for <i>Justice Quarterly</i>
3/2013	<b>Peer Reviewer</b> for CRC Press/Taylor and Francis
3/2006-present	<b>Editorial Board (including Managing Editor and iFirst Coordinator 3/2006 – 3/2011), Police Practice and Research: An International Journal (PPR).</b> PPR is a peer-reviewed, international journal that presents current and innovative academic police research as well as operational and administrative police practices from around the world. It is the official journal of the

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	International Police Executive Symposium.
10/2011 –present	<b>Board of Directors</b> , American Academy of Law Enforcement Professionals, Long Island
2010	<b>Peer reviewer</b> <i>Investigative Sciences Journal</i>
1/2000 – present	<b>Peer reviewer</b> <i>Police Practice and Research: An International Journal</i> .
2005-2007	<b>Peer reviewer</b> <i>Journal of Criminal Justice and Popular Culture</i> .
2001 - 2002	<b>Peer Reviewer</b> for Office of Community Oriented Policing Services (COPS), National Institute of Justice. Peer review materials for publication.

**Consulting/Expert Witness/Testimony:**

2014	<b>Expert Witness</b> in <i>Schoolcraft v. City of New York</i>
2014	<b>Expert Witness</b> in <i>Stinson v. City of New York</i>
2013	Delegate to the United Nations for the International Police Executive Symposium
2012	<b>Assessed</b> Nassau Community College's Criminal Justice program with the assistance of Dr. Barbara Morrell of St. Joseph's College. This included interviews, site visit, and preparation of detailed written report including future recommendations for the program. Completed May 24, 2012.
2012	<b>Invited participant</b> to New York State Assembly's Standing Committee on Codes, Standing Committee on Corrections, and New York State Black, Puerto Rican, Hispanic, and Asical Legislative Caucus Roundtable on "An examination of stop and frisk policy and practice" May 18, 2012
2008	<b>Expert Witness</b> for Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP to provide expert opinions in the case of Keenan M. Scott, Thomas Logan, John Loomis, Robert Davison, and Michael C. DeMartino, Plaintiffs v. City of New York and The New York City Police Department, Defendants – United States Southern District of New York 02 Civ. 9530 (SAS-THK). Provide expertise and testimony on police culture and management with emphasis on

*J.A. Eterno, CV 5*

NYPD. Expert Report prepared and delivered on June 21, 2008. Deposed, August 22, 2008. Testified and recognized by court as expert on police management and policing on November 13, 2008.

- 2005-2007      **Research Consultant** for United States Department of Justice. Consult on problem-solving and assessment of Public Housing Safety Initiative in 75 and 101 Precincts. This involves assisting various criminal justice agencies on how to adopt effective strategies for improving the quality of life in specific areas, measuring the effectiveness of the innovations, and then using the assessments to re-organize the strategies. Prepared, "Public Housing Safety Initiative – Final Report." Submitted to United States Attorney's Office, Eastern District of New York - November, 2007.
- 1999 – 2003      **Research Consultant** with National Development and Research Institutes (NDRI). Consult on survey development, questionnaire design, question wording, research methods, and other policing related criteria for Policing Supplement to Arrestee Drug Abuse Monitoring Program (ADAM) survey.
- 2002      **Deposition as representative for NYPD** at civil lawsuit on November 19, 2002 regarding stop and frisk practices of the Department. My testimony was on research and work I conducted creating and analyzing a large database consisting of all Stop and Frisk Reports prepared by sworn officers since 1994. I also testified regarding my policy recommendations and assistance I gave in writing press releases on stop and frisk.
- 1994-1996      **Testified and represented the NYPD** at the New York State Municipal Police Training Council (MPTC) from 3/94 to 8/96. Testified on the research I conducted supporting a physical standard for the NYPD's police officer candidates. The MPTC sets the minimum training standards for most police agencies in New York State.
- 1994      **Testified and represented the NYPD** before New York State Civil Rights Commission regarding the research I conducted to support raising age of police recruits from 20 to 22 in 1994.

**Peer Reviewed Journal Publications:**

**Eterno, John A., Arvind Verma & Eli B. Silverman** 2014. "Police Performance Management: Do Managerial Pressures Influence Police Manipulation of Crime



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Reports?" Under review.

- Eterno, John A. & Eli B. Silverman** 2010. "Understanding Police Management: A Typology of the Underside of Compstat." *Professional Issues in Criminal Justice*. 5 (2&3): 11-28.
- Eterno, John A. & Eli B. Silverman** 2010. "NYPD's Compstat: Compare Statistics or Compose Statistics?" *International Journal of Police Science and Management*. 12 (3): 426-449.
- Eterno, John A.** 2008. "The Influence of Neighborhood Wealth on Police Decisions to Invoke the Law: An Empirical Assessment of Conflict Theory." *Professional Issues in Criminal Justice* 3(3):1-24.
- Eterno, John A.** 2008. "Homeland Security and the Benefits of College Education: An Exploratory Study of the New York City Police Department's Cadet Corps." *Professional Issues in Criminal Justice* 3(2):1-16.
- Sciarabba, Anthony L. & John A. Eterno** 2008. "An Analysis of the Dynamics of the Coverage of Domestic Abuse in Introductory Criminal Justice and Criminology Textbooks." *Journal of Criminal Justice and Popular Culture*. 15(2): 217-237.
- Eterno, John A.** 2007. "Understanding the Law on the Front Lines: The Need for Bright-Line Rules." *Criminal Law Bulletin*. 43 (5): 706-725.
- Eterno, John A.** 2006. "Gender and Policing: Do Women Accept Legal Restrictions More than Their Male Counterparts?" *Women and Criminal Justice*. 18 (1/2): 49-78.
- Eterno, John A. & Eli B. Silverman** 2006. "The New York City police department's Compstat: dream or nightmare?" *International Journal of Police Science and Management*. 8 (3): 218-231.
- Davis, W. Rees; Bruce D. Johnson; Doris Randolph; Hilary James Liberty; and John Eterno** 2005. "Comparing police drug-allegations with enumerations of drug users/sellers." *Policing: An International Journal of Police Strategies and Management*. 28 (4): 594-607.
- Golub, Andrew, Bruce D. Johnson, Angela Taylor, John Eterno.** 2004. "Does Quality-of-life Policing Widen the Net? A Partial Analysis." *Justice Research and Policy*. 6(1):19-41.
- Johnson, Bruce D., Andrew Golub, Angela Taylor, John Eterno** 2003. "Quality-of-life policing: Do offenders get the message?" *Policing: An International Journal of Police Strategies and Management*. 26 (4): 690-707.

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**Eterno, John A.** 2001. "Zero Tolerance Policing in Democracies: The Dilemma of Controlling Crime Without Increasing Police Abuse of Authority." *Police Practice and Research: An International Journal*, 2 (3): 189-217.\*\*  
\*\*Reprinted in Palmer, Darren; Berlin, Michael, & Das, Dilip (2012). *The Global Environment of Policing*. (CRC Press/Taylor and Francis Group:London).

**Books:**

**Eterno, John A. & Cliff Roberson** (2015). *The Detectives Handbook* (CRC Press, Boca Raton, FL) (under contract)

**Eterno, John A., Dilip K. Das, Mintie Das (eds.)**. (2015) *Global Issues in Contemporary Policing*. (CRC Press; Boca Raton, FL). (under contract)

**Eterno, John A. (ed.)** 2014. *The New York City Police Department: The Impact of Its Policies and Practices*. (CRC Press.Taylor and Francis Group: Boca Raton, FL) (in press).

**Eterno, John A. & Eli B. Silverman** 2012. *The Crime Numbers Game: Management by Manipulation* (CRC Press/Taylor and Francis Group: Boca Raton, FL).

**Eterno, John A. & Dilip K. Das (eds.)** 2010. *Police Practices in Global Perspective*. (Rowman & Littlefield: Lanham, MD).

**Eterno, John A.** 2003. *Policing within the Law: A Case Study of the New York City Police Department*. (Praeger: Westport, CT).

**Book Chapters & Other Publications:**

**Eterno, John A. & Eli B. Silverman** (2014, July 14). "Bratton's stop and frisk study mistake" *New York Daily News*. <http://www.nydailynews.com/opinion/bratton-stop-frisk-study-mistake-article-1.1863847>

**Silverman, Eli B. & John A. Eterno** (2013, December 19). "Letter to the Editor: Bratton's Return as New York's Police Commissioner." *The New York Times*. [http://www.nytimes.com/2013/12/19/opinion/brattons-return-as-new-yorks-police-commissioner.html?ref=todayspaper&\\_r=0](http://www.nytimes.com/2013/12/19/opinion/brattons-return-as-new-yorks-police-commissioner.html?ref=todayspaper&_r=0)

**Eterno, John A.** (2013, November 6). "In defense of Judge Scheindlin." *New York Daily News*. <http://www.nydailynews.com/opinion/defense-judge-scheindlin-article-1.1507911>

**Eterno, John A. & Eli B. Silverman** (2013, September 11) "Mike Bloomberg's fact free



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defence of stop and frisk.” *The Guardian*.

<http://www.theguardian.com/commentisfree/2013/sep/11/stop-and-frisk-michael-bloomberg>

**Eterno, John A. & Eli B. Silverman** (2013, July 22). “Ray Kelly’s record should rule him out of heading Homeland Security.” *The Guardian*.

<http://www.guardian.co.uk/commentisfree/2013/jul/22/ray-kelly-rule-out-homeland-security>

**Eterno, John A. & Eli B Silverman** (2013, January 7) “Letter to the Editor, :A Rise In Violent Crime” *New York Times*. [http://www.nytimes.com/2013/01/08/opinion/a-rise-in-violent-crime.html?\\_r=0](http://www.nytimes.com/2013/01/08/opinion/a-rise-in-violent-crime.html?_r=0)

**Eterno, John A.** (with the assistance of the New York Civil Liberties Union) (2012, September 30). Less stop-and-frisk can save more lives. *New York Daily News*. <http://www.nydailynews.com/opinion/stop-and-frisk-save-lives-article-1.1170728?print>

Silverman, Eli B.; **John A. Eterno**; and Jesse Levine (2012, August 13). “Manufacturing Low Crime Rates at the NYPD: Reputation versus Safety under Bloomberg and Kelly.” *The Huffington Post*. [http://www.huffingtonpost.com/eli-b-silverman/low-crime-rates-nypd-eli-b-silverman-john-a-eterno\\_b\\_1772489.html](http://www.huffingtonpost.com/eli-b-silverman/low-crime-rates-nypd-eli-b-silverman-john-a-eterno_b_1772489.html)

**Eterno, John A.** (2012, July 18) “Look to Past to See Folly of Aggressive Relations.” *The New York Times*. Room for Debate <http://www.nytimes.com/roomfordebate/2012/07/17/does-stop-and-frisk-reduce-crime/look-to-past-to-see-folly-of-aggressive-relations>

**Eterno, John A.** (2012, June 18). “Policing by the Numbers.” *The New York Times*. Opinion: A23.

**Eterno, John A.** (2012) “Special Editors Comments.” *Police Practice and Research: An international Journal*. 13(3). 204-207.

**Eterno, John A.** (2012, March 7). “NYPD Crime Stats Manipulation Widespread, Must Be Investigated, Criminologist Say.” *The Village Voice*. Wednesday. [http://blogs.villagevoice.com/runninscared/2012/03/nypd\\_crime\\_stat\\_1.php](http://blogs.villagevoice.com/runninscared/2012/03/nypd_crime_stat_1.php)

**Eterno, John A. & Eli B. Silverman** (2012, February 10) “Letter to the Editor, Evaluating Kelly’s Tenure as Police Commissioner” *New York Times* <http://www.nytimes.com/2012/02/11/opinion/evaluating-kellys-tenure-as-police-commissioner.html>

**Eterno, John A.** “A Brief History of Criminal Investigation.” Chapter 1 in Michael

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Birzer and Cliff Roberson (Eds.) 2012. *Criminal Investigation in the 21st Century* (Boca Raton, FL: CRC/Taylor and Francis). .

Silverman, Eli B. & **John A. Eterno** (2011) "Eterno and Silverman, Criminologists, Say NYPD's Crime Stat Manipulation A Factor In Recent Corruption Scandals." *The Village Voice* November 29 (Tuesday)  
[http://blogs.villagevoice.com/runninscared/2011/11/eterno\\_and\\_silv.php](http://blogs.villagevoice.com/runninscared/2011/11/eterno_and_silv.php)

**Eterno, John A.** & Christopher G. Sullivan 2011. "Expert Report to Nassau Community College on Criminal Justice Remediation." Submitted to Nassau Community College on October 5, 2011.

**Eterno, John A.** & Eli B. Silverman, 2011, January 24. "Building a Better Compstat: How to improve New Yorker's confidence in the NYPD's crime statistics." *New York Daily News* op. ed. (Monday).

**Eterno, John A.** & Eli B. Silverman 2010. "New York Crime Statistics." *New York Times* Letter to the Editor (Friday) December 3.

**Eterno, John A.** and Eli B. Silverman (2010). "Truth versus Spin: An Op-Ed on the NYPD's Crime Statistics From Two Criminologists." *The Village Voice*. September 9 (Thursday)  
[http://blogs.villagevoice.com/runninscared/archives/2010/09/truth\\_versus\\_sp.php](http://blogs.villagevoice.com/runninscared/archives/2010/09/truth_versus_sp.php)

**Eterno, John A.** & Eli B. Silverman 2010. "Hey NYPD, Want to Catch Even More Terrorists? End the Quotas and Victim Intimidation" *The Village Voice*. (Monday) May 9.  
[http://blogs.villagevoice.com/runninscared/archives/2010/05/nypds\\_anti-terr.php](http://blogs.villagevoice.com/runninscared/archives/2010/05/nypds_anti-terr.php)

Silverman, Eli B. & **John A. Eterno** 2010. "New York Crime Statistics: What the Researchers Say." *New York Times* Letter to the Editor (Tuesday) February 23.

**Eterno, John A.** (2011) "Policing in the United States: Balancing Crime Fighting and Legal Rights." Book chapter in **Eterno, John A.** & Dilip K. Das (eds.) 2010. *Police Practices in Global Perspective*. (Rowman & Littlefield: Lanham, MD).

**Eterno, John A.** & Eli B. Silverman 2010. "The Trouble with Compstat." *New York Daily News* op. ed. (Monday) February 15.

**Eterno, John A.** & Eli B. Silverman 2010. "Survey of Retired Members of the Captain's Endowment Association" Report submitted to Captains Endowment Association, January.

J.A. Eterno, CV 10

**Eterno, John A.** 2010. "The Public Housing Safety Initiative in the Eastern District of New York: A Collaborative Researcher and Practitioner Program." Book chapter in Cliff E. Roberson, Dilip Das, and Jennie K. Singer (2010) *Police Without Borders: The Fading Distinction between Local and Global*. CRC Press/Taylor and Francis: London: pp. 261-288.

**Eterno, John A.** 2008. "Interview with Malme Odd Berner, Ministry of Foreign Affairs, Norway." Book chapter in Otwin Marenin and Dilip K. Das *Trends in Policing: Interviews with Police Leaders Throughout the World*. CRC Press/Taylor and Francis: London: pp. 143-154.

**Eterno, John A.** 2007. "Public Housing Safety Initiative – Final Report." Submitted to United States Attorney's Office, Eastern District of New York - November, 2007.

**Eterno, John A.** 2005. Main Contributor for *The Encyclopedia of Racism in the United States: 3 Volumes*. Edited by Pyong Gap Min (Greenwood: Westport, CT).

Johnson, Bruce D., Andrew Golub, Angela Taylor, **John Eterno**. 2002. "How Accurate are Arrestees in Reporting Their Criminal Justice Histories?: Concordance and Accuracy of Self-Reports Compared to Official Records." Final Report to National Institute of Justice. October 2, 2002.

**Eterno, John A.** 2002. "The Challenge of Being a Catholic Police Officer in New York City." Book chapter in *Professions of Faith: Living and Working as a Catholic*. Edited by James Martin and Jeremy Langford (Sheed and Ward, Franklin, Wisconsin).

**Eterno, John A.** and Eli B. Silverman 2002. "Guest Editors' Introduction: Corruption in Perspective." *Police Practice and Research: An International Journal*, 3 (1): 3-5.

Johnson; Bruce D., Angela Taylor; Andrew Golub, **John Eterno** 2000. "Monitoring Impacts of Policing Initiatives on Drug Users and Criminals among Arrestees in New York City: Final Report to National Institute of Justice, New York: National Development and Research Institutes, December 22.

**Eterno, John A.** and Christopher Sullivan 1994. "The Struggle for Physical Standards." *NYCPD Management and Training Journal*, II, (2): 1.

**Invited Speaking Engagements, Scholarly Presentations, and Other Academic Dialog:**

Presented as *invited speaker* "Police Performance Management: Unrelenting Demand for Numbers" at Molloy Institute for Lifelong Learning at the Union Baptist Church in Hempstead, New York on January 28, 2014.

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Presented as *invited speaker* "Training Corrupted by Management: Crime Report Manipulation" at the International Association of Chiefs of Police annual meeting Philadelphia, PA October 19-23.

*Invited Chairperson and presenter* at the Annual Meeting of the International Police Executive Symposium in Budapest, Hungary August 2 -9, 2013. Presented scholarly paper at the meeting "The New Corruption: the Manipulation of Crime Numbers."

The Problem of Police Practitioner and Researcher Collaborations presented at the Annual Meeting of the Academy of Criminal Justice Sciences March 21, 2013 in Dallas Texas.

Roundtable discussant on Does your presentation relate to the conference theme? at the Annual Meeting of the Academy of Criminal Justice Sciences March 23, 2013 in Dallas, Texas.

Presented as *invited speaker* "Crime Report Manipulation: The Unspoken Truth at NYPD" for the Molloy Institute for Lifelong Learning as an *invited speaker* on February 26, 2013.

Presented as *invited speaker* at The Police Reform Organizing Project's "From Behind the Blue Wall of Silence" forum at the Schomburg Center for Research in Black Culture on December 3, 2012 Harlem, New York.

Roundtable discussant on Interviews with Global Leaders in Policing, Courts and Prisons at the American Society of Criminology meeting in Chicago Illinois, on Friday, November 16, 2012.

"The Crime Numbers Game: Management by Manipulation" presented at the American Society of Criminology meeting in Chicago, Illinois on Wednesday, November 14, 2012.

Crime Rate Drop in New York City: Fact or Fiction. Presented as part of panel discussion at The Society of Catholic Social Scientists meeting at Kellenberg Memorial High School in Nassau County, New York, October 26, 2012.

Presented as *invited speaker* with Eli Silverman on research on NYPD to New York Civil Liberties Union June 28, 2012.

Presented as *invited speaker* by City Council at press conference to media on bill to create Inspector General as watchdog for NYPD on June 13, 2012.

With Eli B. Silverman presented at International Conference on Global Perspectives on Justice, Security and Human Rights at John Jay College of Criminal Justice June 6-9, 2012 "Unveiling the truth: weaknesses in police performance management systems."

Presented as *invited speaker* at The Police Reform Organizing Project's "From Behind the Blue Wall of Silence: NYPD Officers Speak Out" forum May 3, 2012 New York, New York.



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Presented as *invited speaker* at The Police Reform Organizing Project's "Problems with Policing and Proposals for Reform" forum February 16, 2012 New York, New York.

"Modern Police Management: Insights into the Underside of Compstat at NYPD." Presented at the Annual Meeting of the International Police Executive Symposium June 26 to June 30, 2011 in Buenos Aires, Argentina.

With Eli B. Silverman "Understanding Police Management: A Typology of the Underside of Compstat" Presented at the Annual Meeting of the Academy of Criminal Justice Sciences on March 3, 2011.

With Eli B. Silverman "(Re)Evaluating the Success of Compstat" Presented as *invited speaker* at the Annual Meeting of Criminal Justice Educators of New York State, Utica, New York, October 28, 2010.

Presented "Compstat: Compare Statistics or Compose Statistics" at Nassau Community College as an *invited speaker* on October 18, 2010.

Presented "Crime Statistics in New York City" at St. Mark's Methodist Church for the Molloy Institute for Lifelong Learning as an *invited speaker* on October 12, 2010.

With Eli B. Silverman "Compstat: Compare Statistics or Compose Statistics." Presented at meeting sponsored by Federal Bureau of Investigation and John Jay College of Criminal Justice in New York City as *invited speakers* on August 27, 2010.

Presented "NYPD Managers Speak Out: The Impact of Compstat" at St. Mark's Methodist Church for the Molloy Institute for Lifelong Learning as an *invited speaker* on April 30, 2010.

With Eli B. Silverman "NYPD Manager's Speak Out: The Impact of Compstat." Presented at the Annual Meeting of the Academy of Criminal Justice Sciences, San Diego, CA, February 26, 2010.

With Eli B. Silverman "A Preliminary Assessment of Compstat in the New York City Police Department." Presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Boston, MA, March 12, 2009.

"A Preliminary Assessment of Compstat in the New York City Police Department." Presented at Faculty Research and Scholarship Day, Molloy College, February 13, 2009.

"The Public Housing Safety Initiative in the Eastern District of New York: A Collaborative Researcher and Practitioner Program." Presented at the Annual Meeting of the International Police Executive Symposium in Cincinnati, May 12 through May 16, 2008.

"New York City's Marijuana Arrest Policy Thirty Years after Decriminalization." Presented as *invited speaker* to the New York City Bar on April 30, 2008.

J.A. Eterno, CV 13

"The Influence of Wealth on Police Decisions to Invoke the Law Revisited: An Empirical Assessment of Conflict Theory," presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Seattle - March, 2007.

Addressed as *invited speaker* United States Attorneys and representatives of government and private concerns on "Public Housing Safety Initiative" at the United States Attorneys Office - Eastern District of New York, July 11, 2006.

"Understanding the Law on the Front Lines: The Needs for Bright-Line Rules." presented at the 43<sup>rd</sup> Annual Meeting of the Academy of Criminal Justice Sciences, February 28 - March 4, 2006 Baltimore, Maryland.

Discussant on "ACJS Certification Standards: Issues" at the 43<sup>rd</sup> Annual Meeting of the Academy of Criminal Justice Sciences, February 28 - March 4, 2006 Baltimore, Maryland.

"Controlling Crime and Terrorism in Democratic Countries: Strengths, Weaknesses, and Suggestions for the Compstat Paradigm." presented at the Annual Meeting of the International Executive Research Symposium, Prague, Czech Republic - September, 2005.

"Gender and Policing: Do Women Accept Legal Restrictions More than Their Male Counterparts?" presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Chicago, Illinois, - March, 2005.

"Police Work, Law, and Behavior," presented as *invited speaker* at Fordham University, New York City, sponsored by the Fordham University Psychology Association, Psi Chi, and the Fordham Institute - February, 2002.

"Zero Tolerance Policing in Democracies: A Case Study of the New York City Police Department," presented as *invited speaker* at the University at Albany State University of New York, Police Research Group, Albany, New York - February, 2001.

"Mapping for Law Enforcement," presented as *invited speaker* at the Vera Institute of Justice - Crime Mapping and Analysis for Police Management Meeting, New York City, New York - August, 2000.

"Police Cooperation with Law and Authority: The Need for Clear Rules," presented at the meeting of the International Police Executive Symposium, Ainring, Germany - April, 2000.

"The Influence of Wealth on Police Decisions to Invoke the Law: An Empirical Assessment of Conflict Theory," presented at the Annual Meeting of the American Society of Criminology, Washington D.C. - November, 1998.

"Deciphering Legal Decisions on the Street," presented at the Annual Meeting of the American

J.A. Eterno, CV 14

Society of Criminology, San Diego, California - November, 1997.

"Cadets and Policing: An Analysis of the New York City Police Department's Cadet Corps," presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Las Vegas, Nevada - March, 1996.

"Unraveling Civil Liability Decisions Against Police," presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Boston, Massachusetts - March, 1995.

"Physical Standards and Policing: The Challenge to Police Policymakers," presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Chicago, Illinois - March, 1994.

"Ethnicity and Sentencing: A Study of the Effect of Ethnicity on Sentencing of Female Prostitutes," presented at the Annual Meeting of the Academy of Criminal Justice Sciences, Kansas City, Missouri - March, 1993.

#### **Book Reviews:**

*Police Practice and Research*, 2008, 9 (3): 261-263. Das, Dilip and Jiao, Allan editors (2005). *Public Order: A Global Perspective*. Pearson, Prentice-Hall: Upper Saddle River, NJ.

*Police Practice and Research*, 2003, 4 (3): 321-323. Henry, Vincent E. (2002). *The Compstat Paradigm: Management Accountability in Policing, Business and the Public Sector*. Flushing NY: Looseleaf Law Publishers.

*Journal of Criminal Justice and Popular Culture*, 1999, 6 (3): 91-94. Leo, Richard A. and Thomas III, George C. *The Miranda Debate - Law, Justice, and Policing* (1998). Boston, MA: Northeastern University Press.

#### **Professional Affiliations:**

Academy of Criminal Justice Sciences (ACJS) (including Policing Section)

American Academy of Law Enforcement Professionals, Long Island (Board of Directors)

American Association of University Professors (AAUP) (Elected Representative at Large, Molloy College Chapter September 2004 to August 2010; President, Molloy College Chapter September 2010 to present)

American Society of Criminology (ASC)

Captain's Endowment Association (CEA), New York City Police Department

Criminal Justice Educators of New York State (CJEANYS)



International Police Executive Symposium (IPES)

**Awards, Honors, and Grants:**

- 2014 Recognized by International Police Executive Symposium for work completed for the organization
- 2014 Faculty Recognition Award, Molloy College. Awarded by graduate students to outstanding faculty member teaching in graduate program.
- 2010 Faculty Research Award, Molloy College. Awarded for outstanding research in the field of Criminal Justice.
- 2009 Faculty Recognition Award, Molloy College. Awarded by graduate students to outstanding faculty member teaching in graduate program.
- 2008 Awarded grant of \$2,000 by Molloy College Committee for Faculty Scholarship and Academic Advancement to study managerial process in New York City Police Department
- 2004 Highly Commended Award from the peer reviewed journal *Policing: An International Journal of Police Strategies and Management* for article published (see publications). Selected by editor and editorial team for its excellence.
- 2004 Inducted as honorary member of the Golden Key International Honour Society - Queens College Chapter.
- 2001 *Enterprise Initiative Award* from the Excellence in Technology Award Program given by the New York City Mayor's Office and the Department of Information Technology and Telecommunications for work conducted on citywide mapping project involving the coordination and security of a sophisticated mapping tool that accurately incorporates many layers including aerial photographs, information about buildings (such as owner's names, contact telephone numbers), water mains, electricity lines, subways, etc.
- 1996 *Police Foundation Award* for groundbreaking research leading to the NYPD's physical fitness/agility examination for police recruits and incumbent officers.
- 1990 Ph.D. scholarship sponsored by the Police Foundation and the NYPD to attend the University at Albany.
- 1987 Graduated with distinction New York Institute of Technology; awarded symbolic hood.

J.A. Eterno, CV 16

1987 PSI CHI (National Honor Society in Psychology).

1983 Graduated at top 10% of Police Academy class.

1983 - 2004 NYPD Medals and Awards: 2 Meritorious Police Duty, 7 Excellent Police Duty, and numerous New York City Police Department attendance awards.

**Certifications:**

Collaborative Institutional Training Initiative (CITI) certification for Social/Behavioral Research with human subjects – expires 3/8/2017

Physical Fitness Instructor for law enforcement by the Dallas Institute of Aerobics.

Police Academy Instructor by the New York City Police Department.

Verbal Judo Instructor by the New York City Police Department.

**Other Related Work:**

Attended annual meeting of the International Police Executive Symposium in Sofia, Bulgaria July 27-31, 2014.

Interviewed and appeared on CBS news regarding police and Mayor DeBlasio on February 12, 2014. (note: numerous news articles on topic published as well).

<http://newyork.cbslocal.com/2014/02/12/de-blasio-under-fire-after-pastor-is-released-from-police-custody/>

Interviewed and appeared live as *invited guest* on MSNBC's "The Last Word" with Lawrence O'Donnell aired on August 13, 2013 [http://www.nbcnews.com/id/45755883/ns/msnbc-the\\_last\\_word/vp/52750096#52750096](http://www.nbcnews.com/id/45755883/ns/msnbc-the_last_word/vp/52750096#52750096)

Interviewed and appeared as *invited guest* on Richard French Show on Regional News Network/FIOS television on January 15, 2013 <https://www.youtube.com/watch?v=IH-1vBUR8vY>

Presented as *invited speaker* for Thomson/Reuters news "Stories of Stop and Frisk – Reuters Investigates" Reuters TV on their web site on July 2, 2012.

<http://www.reuters.com/video/2012/06/29/reuters-tv-stories-of-stop-and-frisk-reuters-invest?videoId=236276763&videoChannel=117777>

Presented as *invited speaker* with Eli Silverman on documentary on NYPD for web documentary *The Inequality of Life* produced by Kathy Conkwright.

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Numerous interviews from March through June 2012 with various media and producers on police management such as FIOS TV, ABC, CBS 60 minutes, *The New York Times*, and many others.

Interviewed for CBS News with Eli Silverman on Friday March 30, 2012.

Interviewed and appeared on ABC News with Eli Silverman March 2012 re: NYPD crime statistics <http://abclocal.go.com/wabc/story?section=news/investigators&id=8596098>

Interviewed and appeared on radio program "Know Your Rights" with Eli Silverman on March 20, 2012.

Interviewed and appeared on national syndicated radio broadcast (InfoTrak) February/March 2012. Producer Randy Meyer.

Appeared on CUNY television CityTalk February 2012 <http://www.cuny.tv/show/citytalk>

Maintain blog site with Eli Silverman on Compstat and related issues  
<http://unveilingnypdcompstat.blogspot.com/>.

Presented "Publishing: Practices and Pitfalls" as Keynote Speaker at Molloy College Annual Recognition of Faculty Scholarship on March 7, 2011.

Interviewed and appeared with co-author Eli Silverman on National Public Radio show "This American Life" for week beginning on September 10, 2010.

Interviewed and appeared on ABC News with co-author Eli Silverman on Friday, August 27, 2010.

Interviewed and appeared on ABC News with co-author Eli Silverman on May 24, 2010 regarding Stop and Frisk activities

Cited and quoted in numerous articles regarding research on Compstat including, but not limited to the *New York Times*, *New York Daily News*, *New York Post*, *Village Voice*, *Gotham Gazette*.

Interviewed and appeared on CBS News with co-author Eli Silverman on February 7, 2010 regarding research on Compstat.

Committee work at Molloy College: Faculty Council Fall 2010 to present; Undergraduate Academic Programs and Policies Fall 2010 to present; Promotion Committee Fall 2012- Spring 2013; Member and Chair Nominations and Elections Fall 2005- Spring 2009; Member Priorities and Planning Fall 2009- Spring 2011; Member Liaison Committee of Board of Trustees Fall 2009-Spring 2011; Member Library Committee Fall 2003 through Spring 2008; Member various ad hoc and grievance committees; Chair three (3) hiring committees for Department of Criminal Justice; Member Chairs

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and Deans Council Fall 2006 to present; Member Student Learning Outcomes Assessment Group Fall 2006 to Spring 2012.

Caused and assisted in development of Moot Court/Mock Trial team at Molloy College, Spring 2009 to present.

"The Molloy Criminal Justice Program." Presented as *invited speaker* at the meeting of the American Academy for Professional Law Enforcement on May 19, 2009.

Television interview for FrictionTV (internet television) on April 30, 2008, "NYPD focus on numbers and not people." [http://friction.tv/ftv\\_debate.php?debate\\_id=2820](http://friction.tv/ftv_debate.php?debate_id=2820).

Developed Legal Studies minor at Molloy College for students interested in the study of law. Submitted and approved by Molloy College in 2008.

Developed Master's of Science in Criminal Justice graduate program at Molloy College. Submitted and approved by Molloy College and New York State Department of Education in 2007.

Developed Advisory Board for Department of Criminal Justice, Spring 2007 to present.

Faculty representative at Honors Convocation, Molloy College 2004 and 2005.

Developed Zeta Lambda- 2004 -- Molloy's chapter of Alpha Phi Sigma -- criminal justice honor society.

Represented NYPD at the National Institute of Justice's Crime Mapping Research Conference in Denver, CO - December 8-11, 2002.

Represented NYPD at the Chief Executive Blueprint Symposium in Policing on Organization and Management, Leadership for the Transition to Community Policing, sponsored by the Department of Justice, Community Oriented Policing Services, at Nassau County Police Headquarters, New York March 12 and 13, 2002.

Represented NYPD giving an interview with Geo magazine (a German magazine similar to National Geographic) on June 20, 2001 regarding mapping and law enforcement.

Represented NYPD at the National Institute of Justice's Crime Mapping Research Conference in San Diego, CA - December 9-12, 2000.

Represented NYPD at the National Institute of Justice's Crime Mapping Research Conference in Orlando, FL - December 11-14, 1999.

**Other Experience/Training:**



*J.A. Eterno, CV 19*

Managing Editor meeting with Taylor & Francis. Prepared in expectations and duties as Managing Editor of international journal.

Molloy College professional development: FERPA tutorial, Jenzabar training; various courses offered by Faculty Professional Center: Using Rubrics for Easier Grading, Tenure and Promotion Workshop, Intro to Turnitin.Com, Communicating Across the Curriculum Workshop; WebCT; Introduction to Smart Board; Designing Effective Writing Assignments; On-Line Survey Possibilities; Web Page Development.

Trained as Eucharistic Minister including visits to sick. Commissioned in October 2004 in Rockville Centre -- serve Molloy College. Also, from September 2006 to present serve at Mercy Hospital, Rockville Centre, NY (notes: 1. served as Eucharistic Minister, Lector, and Altar Member Knights of Columbus.

Server at St. Andrew's in Manhattan, NY 1997-2003; 2. served as Usher 1981-2002 at Our Lady of the Blessed Sacrament, Queens, NY).

VIRTUS trained - The Protecting God's Children Program for Adults, January, 2008.

Speech at Molloy presented on September 10, 2004 in remembrance of September 11, 2001.

Moderator of Alpha Phi Sigma (National Honor Society in Criminal Justice) at Molloy College - Zeta Lambda Chapter.

Honors Convocation Coordinator, 2004 and 2005.

Numerous training courses with the NYPD such as Leadership Training and Executive Development courses. Examples: Managing Diversity and Equal Employment Opportunity Issues; Department Policy: Constitutional and Civil Liability; Hazardous Materials Emergency Response Operations (yearly); Domestic Violence: The Cycle of Violence; Overview: Port Authority Police Department; Overview: New York City Department of Correction; Overview: Federal Bureau of Investigation; Terrorism Training: Islamic Culture, Response to International and Domestic Terrorism, Introduction to Weapons of Mass Destruction.

Trained as interviewer while a graduate student at the University at Albany. In this capacity, I conducted structured interviews of New York State government officials to determine their views on criminal justice issues such as the death penalty.

## Appendix B

1. Finnegan Deposition
2. Duncan Deposition
3. QAD Report (NYC 5153-5248)
4. Compstat Notes (NYC 12884-12949)
5. Lauterborn Report (PX 16)
6. Performance Evaluation Guide (PX 159)
7. Locker Photographs (two screen shots)
8. Home Invasion Recording (at <http://vimeo.com/38868968>)



AFFIRMATION OF SERVICE

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF NEW YORK    )

I, John Lenoir, being duly sworn, states and affirms: I am not a party to the within action, am over the age of 18 years and am admitted to practice law in this State..

On August 11, 2014 I served the within Plaintiff's Expert Disclosure,

  X   by depositing a true copy thereof by mail enclosed in a post-paid wrapper, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, addressed to each of the following persons at the last known address set forth after each name.

       by causing a delivery of a true copy thereof personally to each person named below at the address indicated. I knew each person served to be the person mentioned and described in said papers as a party therein.

       by transmitting the papers by electronic means to the telephone number listed below, by which number was designated by the attorney for such purpose. I received a signal from the equipment of the attorney served indicating that the transmission was received. I further deposited a true copy of the papers, enclosed in a post-paid wrapper, in an official depository under the care and custody of the U.S. Postal Service, addressed to the attorney at the address set forth after the name:

       by depositing a true copy thereof, enclosed in a wrapper addressed as shown below, into the care and custody of                      for overnight delivery, prior to the latest time designated by that service for overnight delivery.

TO:

Suzanna P. Mettham  
Law Department  
100 Church Street – Room 3-203  
New York, New York 10007

Walter Aoysius Kretz, Jr.  
Scoppetta Seiff Kretz & Abercrombie  
444 Madison Avenue, 30<sup>th</sup> Floor  
New York, NY 10022

Brian E. Lee  
Ivone, Devine & Jensen, LLP  
2001 Marcus Avenue, Suite N100  
Lake Success, NY 11042

Gregory John Radomisli  
Martin Clearwater & Bell LLP  
220 East 42<sup>nd</sup> Street, 13<sup>th</sup> Floor  
New York, NY 10017

Paul Callan, Esq.  
Callan, Koster, Brady & Brennan, LLP  
One Whitehall Street  
New York, NY 10004

Adrian Schoolcraft  
PO Box 721  
Johnstown, NY 12095

/s/ John D. Lenoir

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John D. Lenoir